

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON GOODSSELL,

Defendant.

4:21CR3003

ORDER

Defendant wishes to represent himself but requests “co-counsel.” (Filing No. 71). This request, interpreted as a request for standby counsel, will be granted. Defendant also requests the right to subpoena records from his prior counsel and for a hearing on that motion. (Filing Nos. 67 and 68). Since standby counsel can assist in providing Defendant with an opportunity to review the records relevant to his upcoming sentencing, the request to serve a subpoena will be denied. Accordingly,

IT IS ORDERED:

1) Defendant’s request for appointment of standby counsel, (Filing No. 71), is granted.

2) The Federal Public Defender for the District of Nebraska shall provide the court with a draft appointment order (CJA Form 20) for standby counsel to assist Defendant and the court in allowing the Defendant to prepare for his sentencing. The draft appointment order shall bear the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

3) Standby counsel shall enter an appearance promptly upon appointment.

4) Defendant's motion to serve a subpoena and for a hearing on that motion, (Filing Nos. 67 and 68), are denied. Instead, Defendant's previously appointed counsel, Tregg Lunn, shall provide all case materials to the appointed standby counsel. Standby counsel shall then make sure that Defendant has an opportunity to promptly review any documents relevant to his sentencing. Standby counsel shall bring those documents to Defendant's sentencing and be present at that sentencing. Defendant, who is incarcerated, is not permitted to retain a copy of the materials in the jail—either before or after the sentencing.

5) The clerk shall promptly provide a copy of this order to the Federal Public Defender, and to Defendant's previously appointed counsel, Tregg Lunn.

October 3, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge